

JPW -



Practitioner's Docket No. 1062/D46

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Russell Beavis, Larry B. Gray and David J. Howlett

Application No.: 10/670,924

Group No.: 3743

Filed: 09/25/2003

Examiner: Patel, Mital B.

For: Valve System and Method for Aerosol Delivery

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.


Signature

Date: August 9, 2006

Samuel J. Petuchowski

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA				RATE	ADDIT. FEE	
TOTAL	3	- 20	= 0	x	\$	50.00	= \$	0.00	
INDEP.	2	- 3	= 0	x	\$	200.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$	0.00	= \$	0.00	
TOTAL								ADDIT. FEE	\$ 0.00


No additional fee for claims is required.

FEE DEFICIENCY

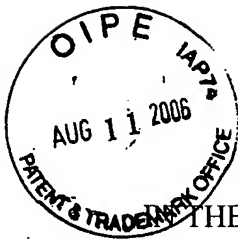
5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: August 9, 2006


Samuel J. Petuchowski
Registration No. 37,910
BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110-1618
617-443-9292
Customer No. 002101

01062/00D46 534213.1

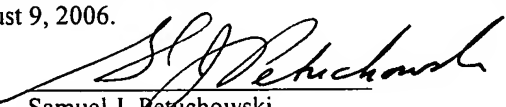


THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Beavis et al.	Att'y Docket:	1062/D46
Serial No:	10/670,924	Conf. No.	6527
Date Filed:	September 25, 2003	Art Unit:	3743
Customer No.:	02101	Examiner:	Patel, Mital B.
Invention:	Valve System and Method for Aerosol Delivery		

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Box Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 9, 2006.


Samuel J. Petuchowski

Mail Box Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO THE OFFICE ACTION OF JUNE 16, 2006

Dear Sir:

In response to the Office Action dated June 16, 2006, Applicants submit the following amendment to the specification and corrections to the drawings.

Amendments to the Description begin on page 2.

Amendments to the Drawings begin on page 3 of this paper and include both attached replacement sheets and annotated sheets showing changes.

A Listing of Claims begin on page 4 of this paper.

Remarks are presented on page 6 of this paper.

Amendments to the Description

Please amend paragraphs [0039] and [0040] as follows:

[0039] Figure 4 is a schematic diagram of an acoustic volume sensor according to an embodiment of the invention. In this embodiment, volume sensor enclosure ~~chamber~~ 400 includes first volume 401 and second volume 402, separated by printed circuit board 403. First microphone 404 is acoustically coupled to first volume 401, and second microphone 405 is acoustically coupled to second volume 402.

[0040] Printed circuit board 403 contains an acoustic source, which can be, for example, a piezoelectric speaker. In one embodiment, one or both of first microphone 404 and second microphone 405 is attached to printed circuit board 403. Printed circuit board 403 can include, in one embodiment, an inner layer configured to pass electrical signals. Printed circuit board 403 is coupled to acoustic volume sensor enclosure 400 in a way that forms a substantially air-tight seal. In one embodiment, printed circuit board 403 includes a hole to equalize pressure between the first volume and the second volume. In this embodiment, the hole is small enough so as to not adversely impact the acoustic qualities of the system.